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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,479	11/21/2003	Hiroshi Yagi	930074-2021	3630
20999	7590	01/11/2006		
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			EXAMINER VANterPOOL, LESTER L	
			ART UNIT	PAPER NUMBER
			3727	

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/719,479	Applicant(s) YAGI, HIROSHI	
	Examiner Lester L. Vanterpool	Art Unit 3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Motsenbocker (U.S. Patent Number 3908571). Motsenbocker discloses a mesh-like interior layer (11) (column 2, line 33 – 36); upper and lower exterior layers laminated that covers the interior layer (11) (column 2, line 54 – 59); wherein, the interior layer includes a plurality of openings (See Figure 1); wherein, the upper and lower exterior layers are interconnected through the openings and being made of a plastic sheeting material (column 2, line 45 – 53).

Regarding claim 2, Motsenbocker discloses the interior layer (11) is formed by a plurality of filaments, which define the openings. See Figure 1.

Regarding claim 3, Motsenbocker discloses at least one of the upper and lower exterior layers having a surfaces that is raised by the filaments to form a plurality of convexes at locations where the one of the upper and lower exterior layers extends over

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the filaments, the surface being formed into concaves at locations where the openings are formed. See Figure 1.

Regarding claim 4, Motsenbocker discloses each of the filaments is formed by a plurality of fibers (column 2, line 35). See Figure 1.

Regarding claim 6, Motsenbocker discloses the interior, which is embedded within the edge portions without being exposed (column 2, line 53 – 61). See Figure 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Motsenbocker (U.S. Patent Number 3908571) in view of Chen et al., (U.S. Patent Number 6513224). Motsenbocker discloses the invention substantially as claimed by disclosing two opposite longitudinal edge portions. However, Motsenbocker does not disclose an intermediate portion between the edge portions, the thickness of the edge portions being thicker than the intermediate portion. Chen et al., discloses an

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intermediate portion (3) between the edge portions (2) and (1); wherein, the thickness of the edge portions are thicker than the intermediate portion. See Figure 4. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make an intermediate portion with thicker edge portions as taught by Chen et al., in order to enhance the strap durability and improve the material life.

Claims 7 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motsenbocker (U.S. Patent Number 3908571) in view of Cook (U.S. Patent Number 6267276). Motsenbocker discloses the invention substantially as claimed wherein, the belt includes a mesh-like interior layer (11) (column 2, line 33 – 36); upper and lower exterior layers laminated that covers the interior layer (column 2, line 54 – 59); wherein, the interior layer includes a plurality of openings (See Figure 1) and the upper and lower exterior layers are interconnected through the openings and are made of plastic sheeting material (column 2, line 45 – 53). However, Motsenbocker does not disclose the container and the belt attached to the container. Cook teaches the container (12) and the belt (14) attached to the container (12). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make a container as taught by Cook in order to increase the weight limitations by attaching the container to the belt.

Regarding claim 8, as stated above in claim 7, Motsenbocker teaches the interior layer (11) is formed by a plurality of filaments, which define the openings. See Figure 1.

Regarding claim 9, as stated above in claim 8, Motsenbocker discloses at least one of the upper and lower exterior layers having a surface that is raised by the filaments to form a plurality of convexes at locations where the one of the upper and lower exterior layers extends over the filaments, the surface being formed into concaves at locations where the openings are formed. See Figure 1.

Regarding claim 10, as stated above in claim 8, Motsenbocker discloses each of the filaments is formed by a plurality of fibers (column 2, line 35). See Figure 1.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Motsenbocker (U.S. Patent Number 3908571 and Cook (U.S. Patent Number 6267276) as applied to claim 7 above, and further in view of Chen et al., (U.S. Patent Number 6513224). Motsenbocker discloses the invention substantially as claimed wherein, the belt includes a mesh-like interior layer (11) (column 2, line 33 – 36); upper and lower exterior layers laminated that covers the interior layer (column 2, line 54 – 59); wherein, the interior layer includes a plurality of openings (See Figure 1) and the upper and lower exterior layers are interconnected through the openings and are made of plastic sheeting material (column 2, line 45 – 53). However, Motsenbocker does not disclose the container and the belt attached to the container. Cook teaches the container (12) and the belt (14) attached to the container (12). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make a container

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as taught by Cook in order to increase the weight limitations by attaching the container to the belt. Furthermore, Motsenbocker and Cook do not disclose the belt having two opposite longitudinal edge portions and an intermediate portion between the edge portions, the thickness of the edge portions being thicker than the intermediate portions. Chen et al., discloses an intermediate portion (3) between the edge portions (2) and (1); wherein, the thickness of the edge portions are thicker than the intermediate portion. See Figure 4. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make an intermediate portion with thicker edge portions as taught by Chen et al., in order to enhance the strap durability and improve the material life.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lester L. Vanterpool whose telephone number is 571-272-8028. The examiner can normally be reached on Monday - Friday (8:30 - 5:00) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JES F. PASCUA
PRIMARY EXAMINER

LLV